

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

HELEN MANN, Special Administrator
for the Estate of JW HEGGIE,

Plaintiff,

vs.

ANCHOR PACKING COMPANY, *et al.*,

Defendants.

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Case No. 94-cv-04219-JPG

Remanded from E.D. PA 08-cv-89372

MEMORANDUM AND ORDER

This matter comes before the court on Plaintiff's Motion (Doc. 59) to dismiss this action voluntarily pursuant to Federal Rule of Civil Procedure 41(a)(2). Plaintiff's motion further request leave to reinstate this matter for 90-days after dismissal to resolve any potential settlement disputes should they arise.

When a suit is dismissed with prejudice, it is gone, and the district court cannot adjudicate disputes arising out of the settlement. *See, Blue Cross & Blue Shield Ass'n v. American Express Co.*, 467 F.3d 634, 636 (7th Cir. 2006); *Dupuy v. McEwen*, 495 F.3d 807 (7th Cir. 2007).

As such, the Court having been advised by counsel for the parties that the above matter has been settled with regard to the sole remaining defendant, CBS Corporation, the Court will enter final judgment 90 days from the date of this Order. Should the parties fail to consummate settlement within the 90 days, they may petition the Court to delay entry of judgment until a later date. In light of the settlement, the Court **DENIES** all motions pending in this case as moot and **VACATES** all court dates in this case.

IT IS SO ORDERED.

DATED: 3/25/2015

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE